



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/023,258
Applicant : Zhang et al.
Filed : December 14, 2001
TC/A.U. : 1621
Examiner : J. Parsa
Docket No. : 1856-23900 (9602.0-01)
Customer No.: 31889

Confirmation No. 5940

REQUEST UNDER 37 CFR 1.116(e) FOR
ADMISSION OF AFFIDAVITS BEFORE OR WITH APPEAL
and
AMENDMENT OF TWO CLAIMS UNDER 1.116(b)

Atty. Dkt. No.: 1856-23900
Date: September 17, 2004

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office action of March 19, 2004, Applicants respectfully request that the Examiner enter and consider the attached Affidavits for the reasons set out below.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

The Affidavit of Professor Milorad Dudukovic, Laura and William Jens Professor and Chairman of the Department of Chemical Engineering at Washington University is attached at Tab A;

the Affidavit of Professor Calvin Bartholomew, Professor of Chemical Engineering and Head of the Catalysis Laboratory at Brigham Young University, is attached at Tab B; and

the Affidavit of R. Ameri David, chemical engineering graduate student at Caltech, is attached at Tab C.

The Opinion of the Federal Circuit in *Ecolochem, Inc. v Southern California Edison Co.*, 227 F.3d 1361 (Fed. Cir. 2000) is attached at Tab D.

is okay to enter the amendment
9/30/04 J.P.